

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

Energy Transfer Equity, L.P., and Energy
Transfer Partners, L.P.,

Plaintiffs,

Greenpeace International (aka “Stichting
Greenpeace Council”); Greenpeace, Inc.;
Greenpeace Fund, Inc.; Banktrack (aka
“Stichting Banktrack”); Earth First!; Cody
Hall; Krystal Two Bulls; Jessica Reznicek;
Ruby Montoya; Charles Brown; and John and
Jane Does 1-20,

Defendants.

Case No. 1:17-cv-00173

**DECLARATION OF JENNIFER
RECINE IN SUPPORT OF MOTION
FOR EXTENSION OF TIME TO
SERVE OR FOR ALTERNATIVE
FORM OF SERVICE**

I, Jennifer S. Recine, pursuant to 28 U.S.C. § 1746, hereby declare and state as follows:

1. I am a member of the law firm Kasowitz Benson Torres LLP, counsel for Energy Transfer Equity, L.P. and Energy Transfer Partners, L.P. (collectively, “Plaintiffs” or “Energy Transfer”). I respectfully submit this declaration in support of Plaintiffs’ motion for an extension of time to serve Defendants Jessica Reznicek, Ruby Montoya, Krystal Two Bulls, and Cody Hall or, in the alternative, for leave to serve these defendants by alternative means. This declaration is based on my personal knowledge of Plaintiffs’ efforts to locate and serve these defendants and facts conveyed to me by Plaintiffs’ outside investigators.

I. Plaintiffs’ Efforts to Locate and Serve Defendants

2. Plaintiffs commenced efforts to serve Ms. Reznicek, Ms. Montoya, Ms. Two Bulls, and Mr. Hall in August 2018, and these efforts have continued until today, November 5, 2018. Certain of Plaintiffs’ efforts to serve Defendants are described in (i) the declaration of Plaintiff’s process coordinator, Denise Vasquez of First Legal Investigations (ECF No. 108); (ii)

affidavits of attempted service on Jessica Reznicek and Ruby Montoya, dated November 5, 2018 (true and correct copies of which are attached hereto as **Exhibit 1** and **Exhibit 2**, respectively); and (iii) an unexecuted summons for Cody Hall, dated October 9, 2018 (a true and correct copy of which is attached hereto as **Exhibit 3**).

3. In addition to the efforts described in the attached declarations and affidavits, in early October 2018, after Plaintiffs' initial efforts to serve defendants were unsuccessful, Plaintiffs engaged a private investigation firm to research and investigate potential locations at which Plaintiffs could serve defendants Jessica Reznicek, Ruby Montoya, Krystal Two Bulls, and Cody Hall with the summons and amended complaint in this action.

4. Over the course of October, investigators conducted extensive investigative research to discern likely locations where each of the defendants was located and could be served. I am informed by the investigators that these efforts included internet research; monitoring of social media; and conducting interviews witnesses connected to the defendants with potential knowledge of defendants' locations. Through these efforts, Plaintiffs' investigators identified several locations across the country where investigators believed there was some likelihood that the respective defendant could be found and served.

5. Once likely locales of defendants were identified, investigators were deployed to conduct on the ground investigations. As set forth herein, investigators were deployed to locations in Ohio, Iowa, Montana, and Pennsylvania where they canvassed the areas for information on defendants' whereabouts and spent dozens of hours monitoring hotels, residences, and other locations where evidence suggested defendants may be found. While Plaintiffs' investigators believe they have been close to locating defendants, to date, Plaintiffs have been unable to serve defendants. I am informed by the investigators that defendants have

moved frequently between and within cities and are staying in hotels under assumed or alternate names. Notwithstanding the foregoing, Plaintiffs' investigators believe that with additional time, they will be able to locate and serve defendants.

6. Below is a more detailed description of efforts taken by Plaintiffs' investigators to serve the individual defendants.

A. Jessica (Anderson) Reznicek

7. Research and investigation conducted in October 2018 suggested that Ms. Reznicek was living in various hotels in the Dayton, Ohio area. With this information, three investigators were deployed to the Dayton, Ohio to monitor these hotels and canvass the surrounding areas to locate and serve Ms. Reznicek.

8. Investigators determined that Ms. Reznicek was likely staying at the SpringHill Suites, a hotel located at 3591 York Plaza Lane, Dayton, Ohio 45414. Hotel employees shown photographs of Ms. Reznicek indicated to investigators that she had in fact been staying at the hotel. Accordingly, investigators surveilled the hotel for several days, but Ms. Reznicek was not observed entering or leaving the hotel.

9. Investigators checked other hotels in the Dayton area in an effort to locate Ms. Reznicek including the Residence Inn, Courtyard by Marriott, Quality Inn, Comfort Inn and Suites, and Hawthorne Suites. Employees of these hotels did not recognize Ms. Reznicek from photographs. Investigators also canvassed local restaurants and stores in an effort to locate Ms. Reznicek, but were not successful.

10. Through these efforts, investigators developed information that suggested Ms. Reznicek was staying at the Drury Inn and Suites at 6616 Miller Lane, Dayton, Ohio, and commenced surveillance of that location. Investigators also canvassed local business in the

vicinity of the Drury Inn, in an effort to locate Ms. Reznicek. To date, while Ms. Reznicek has not been observed coming or going from the hotel, the result of ongoing investigations suggest that Ms. Reznicek remains resident at that location, and investigators are continuing to monitor the area.

B. Ruby Montoya

11. Research and investigation conducted in October 2018 suggested Ms. Montoya was living in various hotels in the West Des Moines, Iowa area. Two investigators were deployed to West Des Moines, Iowa to monitor local hotels and canvass the surrounding areas. Through these efforts, investigators determined that Ms. Montoya was likely staying at the Homewood Suites, located at 6620 Stagecoach Drive, West Des Moines, Iowa 50266.

12. Investigators spent several days monitoring the hotel, but did not see Ms. Montoya entering or leaving. Investigators spoke to employees of the hotel and showed them photographs of Ms. Montoya. Hotel employees indicated to investigators that Ms. Montoya had been a guest of the hotel, but was believed to have left in the preceding days.

13. Investigators canvassed other hotels and restaurants in the West Des Moines area but did not locate Ms. Montoya.

14. Through these efforts, investigators developed information that suggested Ms. Montoya was staying at the Drury Inn and Suites at 5505 Mills Civic Parkway, West Des Moines, Iowa 50266. Accordingly, investigators monitoring the Drury Inn, but have not seen Ms. Montoya entering or leaving the hotel. To date, while Ms. Montoya has not been observed coming or going from the hotel, Plaintiffs' investigations suggest Ms. Montoya remains resident at that location, and investigators are continuing to monitor the area.

C. Krystal Two Bulls

15. Research and investigation conducted in October 2018 indicated that Ms. Two Bulls was likely staying at a private residence in Colstrip, Montana. Two investigators were deployed to Colstrip to monitor addresses associated with Ms. Two Bulls and canvass surrounding areas.

16. This investigation indicated that Ms. Two Bulls was living at a residence located at 323 Wildrye Street, Colstrip, Montana 59323. Investigators surveilled the location, but did not see Ms. Two Bulls enter or leaving the residence, and no one answered the door when an effort was made to serve Ms. Two Bulls. Neighbors interviewed by investigators stated they had seen Ms. Two Bulls “recently,” but could not remember the exact date. They also stated that they believed she was “just visiting.”

17. Investigators developed information that suggested Ms. Two Bulls was staying at a residence located at 33 Juniper Avenue, Colstrip, Montana 59323. Investigators surveilled the residence, but did not see Ms. Two Bulls, or anyone, enter or leave the property, and no one answered the door when an effort was made to serve Ms. Two Bulls at that address.

18. The ongoing investigation has developed information that suggests that Ms. Two Bulls is currently staying at the Colstrip Inn at 6227 Main Street, Colstrip, Montana 59323. Investigators have been engaged in surveillance of the hotel, but Ms. Two Bulls has not been observed entering or leaving the hotel. Investigators are continuing to monitor the hotel and surrounding area.

D. Cody Hall

19. Research and investigation conducted in October 2018 suggested that Cody Hall was staying at the Courtyard by Marriott at 945 Pennsylvania Avenue, Pittsburgh, Pennsylvania.

Four investigators were deployed to Pittsburgh to monitor the hotel and canvass the surrounding area.

20. Investigators surveilled the hotel continuously for several days, but Mr. Hall was not observed entering or leaving the hotel. During this time, investigators spoke to a door man who is also a parole officer, who stated that while Mr. Hall “looked very familiar,” he could not confirm whether he was staying at the hotel. Investigators canvassed other hotels in the area but did not locate Mr. Hall.

21. Investigators also canvassed a Greyhound bus station near the hotel. A security guard at the station confirmed that Mr. Hall’s car had been parked in the station parking lot “a few days ago.”

22. Investigators also canvassed numerous bars, restaurants, and stores in Pittsburgh’s Cultural District and Hill District, but were unable to locate Mr. Hall.

23. The result of ongoing investigation suggests that Mr. Hall is staying at the Courtyard by Marriott in Pittsburgh, and investigators are continuing to monitor the area.

II. Additional Information

24. Public sources, including an article entitled, “A year later, still no federal charges against ‘saboteurs’ of Dakota Access Pipeline. Why?” by William Petroski for the Des Moines Register, [desmoinesregister.com](https://www.desmoinesregister.com/story/news/politics/2018/07/23/dakota-access-pipeline-iowa-sabotage-no-federal-charges-jessica-reznicek-ruby-montoya/801287002/), July 23, 2018, *available at* <https://www.desmoinesregister.com/story/news/politics/2018/07/23/dakota-access-pipeline-iowa-sabotage-no-federal-charges-jessica-reznicek-ruby-montoya/801287002/>, report that “Bill Quigley, a law professor at Loyola University New Orleans” is “representing [Jessica Reznicek and Ruby Montoya] at no cost” in connection with the federal investigation into Reznicek and Montoya. A true and correct copy of the article is attached hereto as **Exhibit 4**.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signed this 5th day of November in New York, New York.

/s/ Jennifer S. Recine
Jennifer S. Recine